

IOWA CRIMINAL STATUTES SUMMARY CHART

Introductory Page (Rev. 11/12/04)

INSTRUCTIONS FOR USE: This chart is designed as a checklist and alert to major sentencing issues and statutes. Code cites and text are abbreviated in an effort to compact information. All Code sections are from 2003 Iowa Code updated through the 2004 legislative session, and are in numerical order from top to bottom along left margin. The author will attempt to update this chart after every legislative session. **WARNING!! THE CHART WILL BE OUTDATED AFTER 2005 LEGISLATIVE SESSION. DO NOT USE AFTER 6/30/05.**

Across the top of each page are headings and footnote references (e.g., "n.A"). Footnotes are at the bottom of this page. At the end of the Code section summaries are selected criminal procedure sections.

If the EndNotes column (far right column) shows an asterisk (*), then you should refer to the EndNotes section on the last pages for references to other sections, alerts and footnotes that may relate to the code section listed in the column on the left margin. If the EndNote column shows an exclamation point (!), that code section or chapter was amended effective 7/1/03 (or in 2003 upon enactment); if it shows bracket ([], that code section or chapter was amended effective 7/1/04 (or in 2004 upon enactment). Look at the EndNotes for reference to the legislation.

In the columns, a "y" means "yes", "n" means "no", "y/n" means "yes/no", "n/a" means "not applicable." A "y/n", "n/y" or "?", means you should review the applicable statutes.

This chart is intended as a checklist, reminder, and issue spotter NOT as a definitive listing of all issues that need to be addressed under any particular use.

Satisfy yourself as to accuracy of the information.

FOOTNOTES

Note A: See chs. 901, 902, 903 outlined below; if "C" or "D" habitual felon, see 902.9(3); if forcible felony, see 902.7.

Note B: Parole per ch. 906; min. per 902.7 (5 yrs. dang. weap.), 902.8 (3 yrs. habitual), 902.8A(124.401D), 902.11(prior forcibles), 902.12(70% forcibles) (see also sec. 702.11 defines "forcible felony").

Note C: 30% surcharge on total fines/forfeitures per 911.1(amended by 2004 HF 2350), may suspend pro rata with fine; and \$10 DARE surcharge for each offense (\$5 before 7/1/01) per 911.2(amended by 2004 HF 2350), not assessed if defer sentence/judgment or suspend sentence.

Note D: \$125 Law Enforcement Initiative Surcharge per 911.3 (after 7/1/01)(amended by 2004 HF 2350), applies to each offense adjudication of guilt or deferred judgment

Note E: Drivers license revocation per 901.5(10).

Note F: DNA profile required per 901.5(8A) and 13.10 prior to 7/1/02; FROM 7/1/02 DNA